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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. **2011-18**

12 **KAREN SHELLY JO SALGADO SARMIENTO**
9058 N. Sylmar Avenue
13 Panorama City, CA 91402

A C C U S A T I O N

14 Registered Nurse License No. 700085

15 Respondent.
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17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs (Board).

22 2. On or about March 15, 2007, the Board issued Registered Nurse License No. 700085
23 to Karen Shelly Jo Salgado Sarmiento (Respondent). The Registered Nurse License was in full
24 force and effect at all times relevant to the charges brought herein and will expire on May 31,
25 2012, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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1 potential unfitness of a registered nurse to practice in a manner consistent with the public health,
2 safety, or welfare. . . .”

3 **COST RECOVERY**

4 10. Section 125.3 provides, in pertinent part, that the Board may request the
5 administrative law judge to direct a licensee found to have committed a violation or violations of
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
7 enforcement of the case.

8 **CAUSE FOR DISCIPLINE**

9 **(Conviction of Substantially Related Crime)**

10 11. Respondent is subject to disciplinary action under sections 490 and 2761,
11 subdivision (a) and (f), in conjunction with California Code of Regulations, title 16, section 1444,
12 on the grounds of unprofessional conduct, in that Respondent was convicted of a crime which to a
13 substantial degree evidences her present or potential unfitness as a registered nurse to practice in a
14 manner consistent with the public health, safety, or welfare.

15 a. On or about July 21, 2009, after pleading nolo contendere, Respondent was convicted
16 of one misdemeanor interlineated count of violating Penal Code section 484(a) [theft of property]
17 in the criminal proceeding entitled *The People of the State of California v. Karen Sarmiento*
18 (Super. Ct. Los Angeles County, 2009, No. 9PY03256). The Court sentenced Respondent to
19 one (1) day in jail, placed her on 12 months of probation, and ordered her to perform 160 hours of
20 Community Service.

21 b. The circumstances of the conviction are that on or about May 15, 2009, Respondent
22 entered a Bloomingdale's department store and went about various of the store's departments
23 selecting 14 items of clothing with a retail value of \$700.81, concealed the items at various times
24 in a store bag, and exited the premises without any attempt to pay for the items.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Registered Nurse License No. 700085, issued to Karen Shelly Jo Salgado Sarmiento;
2. Ordering Karen Shelly Jo Salgado Sarmiento to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: _____

7/7/10

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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